

### **STATUS OF THE CLAIMS**

Claims 1-59 are pending in the Application.

Claims 1-59 stand rejected by the Examiner.

Reconsideration of the present Application is respectfully requested in light of Applicant's Amendments and Remarks made hereinbelow.

## CLAIM LISTING

Applicant respectfully submits the following claim listing and amendments to replace and supercede all previous claim listings:

1. (Currently Amended) A method of rendering wireless communications services by a provider to one or more subscribers in return for payment of a charge, comprising:

determining a flat rate charge for the services;

tracking the services by an account uniquely correspondent to a cellular wireless device on which the services are provided;

determining a period of time within which the flat rate for the wireless device charge shall apply;

determining a charge to the account based upon the flat rate for the period of time;

providing by the provider of unlimited access to the wireless communications services solely from within a limited geographic region that approximates at least one municipal region in exchange for the charge to the account; and

receiving payment of the charge substantially before the wireless communications services are rendered to the subscriber.

2. (Original) The method of Claim 1, further comprising determining the value of the flat rate without relation to minutes of use by the user of the wireless communications services during the period of time.
3. (Original) The method of Claim 1, further comprising determining the value of the flat rate without relation to the number of calls made or received by the user during the period of time.
4. (Original) The method of Claim 1, wherein the period of time further comprises a predetermined period of time.
5. (Original) The method of Claim 1, further comprising charging a flat rate for the period of time that is proportional to a rate of less than or equal to about \$50 per month.
6. (Original) The method of Claim 1, further comprising charging a flat rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month.
7. (Original) The method of Claim 1, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 300 calls per month.
8. (Original) The method of Claim 1, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 400 minutes of use per month.

9. (Original) The method of Claim 1, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 600 minutes of use per month.
10. (Original) The method of Claim 1, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 800 minutes of use per month.
11. (Original) The method of Claim 1, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 1000 minutes of use per month.
12. (Original) The method of Claim 1, further comprising adapting the wireless communications services as the user's primary telephone service.
13. (Original) The method of Claim 1, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$40 per month, and wherein the average minutes of use of the services per user is at a rate for the period of time that is proportional to a rate of greater than or equal to about 200 minutes per month.
14. (Original) The method of Claim 1, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month, and wherein the average minutes of use of the services per user is at a rate for the period of time that is proportional to a rate of greater than or equal to about 500 minutes per month.

15. (Original) The method of Claim 1, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month, and wherein the operating expense per user is at a rate that is proportional to a rate of less than or equal to about \$26 per month.

16. (Original) The method of Claim 1, further comprising:

maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month; and

maintaining the margin for the operator of the wireless communications services at greater than or equal to about 15%.

17. (Original) The method of Claim 1, further comprising providing the wireless communications services primarily in limited geographic areas in which the user substantially lives, works, and plays.

18. (Original) The method of Claim 1, further comprising maintaining a user churn rate of less than about 4% for users who have retained the services for about three or more months.

19. (Original) The method of Claim 1, further comprising maintaining the operating expense per subscriber at a rate that is proportional to a rate of less than or equal to about \$26 per month.

20. (Original) The method of Claim 1, further comprising maintaining the cash cost per unit at less than or equal to about \$20.

21. (Original) The method of Claim 1, further comprising maintaining the acquisition cost per subscriber at less than or equal to about \$230.

22. (Currently Amended) A method of rendering wireless communications services to one or more subscribers in return for payment of a flat rate charge, comprising:

determining a flat rate charge for the services;

determining a period of time within which the flat rate charge shall apply;

storing and tracking the flat rate charge in an account assigned to a cellular device of the subscriber;

providing unlimited access to the wireless communications services for the flat rate charge during the period of time;

receiving payment of the charge substantially before the wireless communications services are rendered to the subscriber;

providing the wireless communications services ~~in~~ solely from a limited geographic area that approximates at least one municipal region in which the subscriber substantially lives, works, and plays; and

rendering the charge for the device in a billing statement that does not include detailed call records.

23. (Original) The method of Claim 22, further comprising determining the value of the flat rate without relation to minutes of use by the user of the wireless communications services during the period of time.

24. (Original) The method of Claim 22, further comprising determining the value of the flat rate without relation to the number of calls made or received by the user during the period of time.

25. (Original) The method of Claim 22, wherein the period of time further comprises a predetermined time period.
26. (Original) The method of Claim 22, further comprising charging a flat rate for the period of time that is proportional to a rate of less than or equal to about \$50 per month.
27. (Original) The method of Claim 22, further comprising charging a flat rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month.
28. (Original) The method of Claim 22, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than about 400 minutes of use per month.
29. (Original) The method of Claim 22, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than about 600 minutes of use per month.
30. (Original) The method of Claim 22, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than about 800 minutes of use per month.
31. (Original) The method of Claim 22, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than about 1000 minutes of use per month.
32. (Original) The method of Claim 22, further comprising adapting the wireless communications services as the user's primary telephone service.

33. (Original) The method of Claim 22, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$40 per month, and wherein the average minutes of use of the services per user is at a rate that is proportional to a rate of greater than or equal to about 200 minutes per month.

34. (Original) The method of Claim 22, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month, and wherein the average minutes of use of the services per user is at a rate that is proportional to a rate of greater than or equal to about 500 minutes per month.

35. (Original) The method of Claim 22, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month, and wherein the operating expense per user is at a rate for the period of time that is proportional to a rate of less than about \$26 per month.

36. (Original) The method of Claim 22, further comprising:

maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than about \$30 per month; and

maintaining the margin for the operator of the wireless communications services at greater than or equal to about 15%.



37. (Original) The method of Claim 22, further comprising maintaining a user churn rate of less than about 4% for users who have retained the services for about three or more months.

38. (Original) The method of Claim 22, further comprising maintaining the operating expense per subscriber at less than or equal to about \$26 per month.

39. (Original) The method of Claim 22, further comprising maintaining the cash cost per unit at less than or equal to about \$20.

40. (Original) The method of Claim 22, further comprising maintaining the acquisition cost per subscriber at less than or equal to about \$230.

41. (Currently Amended) A method of rendering wireless communications services to one or more subscribers in return for payment of a flat rate charge, comprising:

determining a flat rate charge for the services;

determining a period of time within which the flat rate charge shall apply;

storing and tracking the flat rate charge in an account assigned to a cellular device of the subscriber;

providing unlimited access to the wireless communications services for the flat rate charge during the period of time;

rendering the flat rate charge for the device in a billing statement that does not include detailed call records;

receiving payment of the flat rate charge substantially before the wireless communications services are rendered to the device;

determining a limited geographic area that approximates at least one municipal region in which the user substantially lives, works, and plays;

providing the wireless communications services only ~~in~~ from the determined geographic area;

maintaining centralized control of the wireless communications services; and

operating the wireless communications services to optimize cost containment rather than revenue generation.

42. (Original) The method of Claim 41, further comprising determining the value of the flat rate without relation to minutes of use by the user of the wireless communications services during the period of time.

43. (Original) The method of Claim 41, further comprising determining the value of the flat rate without relation to the number of calls made or received by the user during the period of time.

44. (Original) The method of Claim 41, wherein the period of time further comprises one or more months.

45. (Original) The method of Claim 41, further comprising charging a flat rate of less than about \$50, and wherein the period of time comprises one or more months.

46. (Original) The method of Claim 41, further comprising charging a flat rate of less than about \$30, and wherein the period of time comprises one or more months.

47. (Original) The method of Claim 41, further comprising allowing more than about 400 minutes of use per month.
48. (Original) The method of Claim 41, further comprising allowing more than about 600 minutes of use per month.
49. (Original) The method of Claim 41, further comprising allowing more than about 800 minutes of use per month.
50. (Original) The method of Claim 41, further comprising allowing more than about 1000 minutes of use per month.
51. (Original) The method of Claim 41, further comprising adapting the wireless communications services as the user's primary telephone service.
52. (Original) The method of Claim 41, further comprising maintaining the average revenue per user at less than about \$40 per month, and wherein the average minutes of use of the services per user is greater than about 200 minutes per month.
53. (Original) The method of Claim 41, further comprising maintaining the average revenue per user at less than about \$30 per month, and wherein the average minutes of use of the services per user is greater than about 500 minutes per month.
54. (Original) The method of Claim 41, further comprising maintaining the average revenue per user at less than about \$30 per month, and wherein the operating expense per user is less than about \$26 per month.
55. (Original) The method of Claim 41, further comprising:  
maintaining the average revenue per user at less than about \$30 per month; and

maintaining the margin for the operator of the wireless communications services at greater than or equal to about 15%.

56. (Original) The method of Claim 41, further comprising maintaining a user churn rate of less than about 4% for users who have retained the services for about three or more months.

57. (Original) The method of Claim 41, further comprising maintaining the operating expense per subscriber at less than or equal to about \$26 per month.

58. (Original) The method of Claim 41, further comprising maintaining the cash cost per unit at less than or equal to about \$20.

59. (Original) The method of Claim 41, further comprising maintaining the acquisition cost per subscriber at less than or equal to about \$230.

60. – 92. (Cancelled)